

## **INSTRUCTIONS FOR FILING A PETITION FOR ABANDONMENT OF A PUBLIC RIGHT-OF-WAY, STREET OR ALLEY**

1. The applicant/owner or authorized agent shall appear at the Department of Planning and Development, 723 West Markham, Little Rock, Arkansas; 371-4790, and complete the required application forms. These forms may be obtained in advance in order to expedite the filing.
2. The applicant shall submit as part of his/her application eighteen (18) copies of a survey or other instrument such as a recorded plat indicating the area of the street or alley involved.
3. The payment of a filing fee in the amount of \$125.00 is required as part of the application.
4. The applicant shall submit as part of the filing a letter from each of the five public utility companies stating their approval of the closure, or stating their request for needed easements including dimensions.
5. The applicant shall submit as part of his/her application a letter from an abstract company or equally reliable source which shall delineate the reversionary rights in the right-of-way and the source of dedication. The applicant shall submit a petition signed by all persons owning property which abuts the right-of-way to be abandoned.
6. Prior to acceptance of the petition, the owner is required to sign a statement dealing with dedication of required street rights-of-way on abutting streets. The applicant will be provided a form for this purpose which shall be completed by the owner indicating his/her position. The owner will be required at his or her expense to provide the proper legal instrument for such dedication. A blank form for this purpose may be obtained from the Planning Staff.
7. After filing the proper forms and meeting the requirements set forth above, the applicant shall give notice to affected properties as required below. Before the Planning Commission shall consider a petition for right-of-way, the petitioner shall first give at least 15 days written notice of the time, place and date of public hearing thereon to all record owners of land abutting portions of the street or alley involved. **THIS MEANS OWNERS OF PROPERTY WHICH ABUTS ANY PORTION OF THE RIGHT-OF-WAY TO BE CLOSED, INCLUDING OWNERS AT EACH END OF THE AFFECTED RIGHT-OF-WAY.** The notification shall be by certified mail. The form for notice shall be that as provided by the staff.
8. The staff will furnish a name and address for neighborhood contacts that require notice of the hearing. This must be accomplished as part of the notice requirement in No. 7 above.
9. An affidavit is required stating the owner has complied as directed on the notice requirement. The affidavit shall be accompanied by a copy of the notice mailed and the postal receipts for mailing. A return receipt is not required. This proof of notice shall be filed with the staff at least six (6) days prior to the Planning Commission meeting.
10. The applicant should be present at the meeting in order to answer any questions of the Commission or other interested parties. The absence of the applicant may be cause for deferral.
11. The applicant's noncompliance with the above may cause the petition to be withheld or not considered at the meeting scheduled and may require the renotification of property owners.

**NOTE: PLEASE CHECK WITH THE PLANNING STAFF FOR THE APPROPRIATE FILING DATE FOR THE PLANNING COMMISSION PUBLIC HEARING.**

**THIS FILING DOES NOT MEET STATE LAW REQUIREMENT FOR FILING WITH THE CITY CLERK. SEE THE CITY CLERK FOR ADDITIONAL INSTRUCTIONS.**

PETITION FOR ABANDONMENT OF  
PUBLIC RIGHT-OF-WAY

PLANNING COMMISSION MEETING DOCKETED FOR \_\_\_\_\_ , \_\_\_\_\_ , AT  
\_\_\_\_\_ P.M.

A petition is hereby submitted to the Board of Directors of the City of Little Rock, Arkansas through the Little Rock Planning Commission, requesting a closure of the following described public right-of-way.

GENERAL DESCRIPTION:\_\_\_\_\_

\_\_\_\_\_

LOCATION:\_\_\_\_\_

\_\_\_\_\_

SIZE:\_\_\_\_\_SQ. FT.\_\_\_\_\_ACRES\_\_\_\_\_

Title to this public right-of-way will transfer to:

\_\_\_\_\_

Present use of the property to which street right-of-way or alley will be joined:\_\_\_\_\_

Desired use of the right-of-way after closure:\_\_\_\_\_

It is understood that notice of the public hearing hereon before the Little Rock Planning Commission will be circulated by the applicant at his/her expense to all parties in interest.

\_\_\_\_\_

\_\_\_\_\_  
(OWNER) (MAIL ADDRESS)

\_\_\_\_\_  
(AGENT) HOME:  
PHONE:\_\_\_\_\_  
BUSINESS  
PHONE:\_\_\_\_\_

PLANNING COMMISSION APPROVED: \_\_\_\_\_ , \_\_\_\_\_

PLANNING COMMISSION DENIED: \_\_\_\_\_ , \_\_\_\_\_

BOARD OF DIRECTORS APPROVED: \_\_\_\_\_ , \_\_\_\_\_

ORDINANCE NO.: \_\_\_\_\_

DEPARTMENT DIRECTOR BY: \_\_\_\_\_

\_\_\_\_\_

Checklist:

- Master Street Plan
- Master Parks Plan
- C.D.B.G. Area
- Capitol Zoning Area
- Census Tract No.
- Floodplain Plan
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**NOTICE OF PUBLIC HEARING BEFORE  
THE LITTLE ROCK PLANNING COMMISSION ON A  
PETITION TO ABANDON A PUBLIC RIGHT-OF-WAY**

To all owners of lands abutting the boundary of an alley or street described as:

Location/Description: \_\_\_\_\_  
\_\_\_\_\_

Petitioner: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Agent or Attorney: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Notice is hereby given that a public hearing on the said petition will be held by the Little Rock Planning Commission in the Board of Directors Chambers, Second Floor, City Hall, on  
\_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ P.M.

All parties in interest may appear and be heard at said time and place or may notify the Planning Commission of their views on this matter by letter. All persons interested in this petition are invited to call or visit the Department of Planning and Development, 723 West Markham. The staff contact person is \_\_\_\_\_ at 371-4790.

APPLICANT (Owner or Authorized Agent): \_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_

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**AFFIDAVIT**

I hereby certify that I have properly notified all owners of record as directed in the instructions for filing a petition for abandonment. Further, that proof of such notice has been provided to the staff of the Planning Commission in compliance with the instructions.

APPLICANT (Owner or Authorized Agent): \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Date)

**STREET RIGHT-OF-WAY DEDICATION AGREEMENT**

LOCATION/ADDRESS: \_\_\_\_\_

DATE: \_\_\_\_\_

DOCKETED FOR MEETING ON: \_\_\_\_\_

I, \_\_\_\_\_, do hereby agree / disagree to dedicate to the public any needed right-of-way as required by the Master Street Plan for a public street abutting property owned by me adjacent to the abandonment.

I, \_\_\_\_\_, agree / disagree to provide at my expense an easement deed and/or other documents as necessary conveying such right-of-way to the public.

APPLICANT/OWNER\_\_\_\_\_ DATE\_\_\_\_\_

(IF THE ABOVE SIGNATURE REPRESENTS AN APPLICANT, ATTACHMENT OF A LETTER IS REQUIRED AUTHORIZING THIS PERSON TO ACT IN BEHALF OF THE TITLE-HOLDER.)

AFFIDAVIT

I, \_\_\_\_\_ certify by my signature below that I hereby  
authorize \_\_\_\_\_ to act as my agent regarding the  
\_\_\_\_\_ of the below described property.

Property described

as: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Title Holder

\_\_\_\_\_  
Date

Subscribed and sworn to me a Notary Public on this \_\_\_\_\_ day of  
\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

**NOTICE OF HEARING**

**TO BE HELD BY THE LITTLE ROCK BOARD OF DIRECTORS**

**ON A PETITION**

**TO CLOSE A “PORTION OF PUBLIC RIGHT-OF-WAY**

**TO ALL OWNERS OF LAND ABUTTING THE BELOW DESCRIBED STREET OR ALLEY CLOSURE:**

Notice is hereby given on \_\_\_\_\_, at 6:00 P.M. in the Chamber of the Board of Directors of the City of Little Rock, Second Floor, City Hall, Markham and Broadway Streets, the Little Rock Board of Directors will hold a public hearing on a petition filed by:

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Said petition requests the abandonment of public right-of-way described as follows:

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All parties in interest may appear and be heard at said time and place or may notify the Board of Directors of their views by letter. The petition and all pertinent data, maps, etc. are on file in the Planning and Development Department located at 723 W. Markham. Telephone # 371-4790.

\_\_\_\_\_  
Applicant’s Signature

cc: City Clerk’s Office